

Message Text

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PAGE 01 USUN N 00993 020114Z

ACTION IO-13

INFO OCT-01 EUR-12 ISO-00 ACDA-07 FEA-01 AID-05 CEQ-01

CIAE-00 ERDA-05 COME-00 DODE-00 EB-08 EPA-01

INR-07 L-03 NSF-01 NSC-05 NSAE-00 PM-04 USIA-06

OES-06 SS-15 SP-02 INT-05 OIC-02 AF-08 ARA-06

EA-07 NEA-10 /141 W

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R 020008Z APR 77

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 3037

INFO AMEMBASSY MOSCOW

USMISSION GENEVA

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E.O. 11652: N/A

TAGS: PARM, UN, UR, US

SUBJ: SOVIET INQUIRY ON SIGNING ENMOD CONVENTION

REF: USUN 585

1. AT MARCH 31 DINNER WITH AMB-DESIGNATE LEONARD, SOVIET MFA OFFICIAL TIMERVAEV REPEATEDLY RAISED QUESTION OF SIGNING OF ENMOD CONVENTION. HE EXPRESSED CONCERN OVER POSSIBILITY OF INDEFINITE DELAY IN U.S. ABILITY TO SIGN CONVENTION, AND REITERATED STRONG SOVIET INTEREST IN JOINT, HIGH-LEVEL SIGNING BY US AND USSR AT EARLIEST OPPORTUNITY. TIMERVAEV NOTED THAT IT WOULD TAKE AT LEAST TWO TO THREE WEEKS AFTER U.S. NOTICE TO SYG FOR SECRETARIAT TO MAKE NECESSARY ARRANGEMENTS AND NOTIFY POTENTIAL SIGNATORIES. HE ADDED THAT SOVIETS INTENDED TO MAKE FULL-SCALE DIPLOMATIC EFFORT OF THEIR OWN TO ENCOURAGE AS MANY COUNTRIES AS POSSIBLE TO JOIN IN SIGNING ON THE OPENING DAY. TIMERVAEV SAID SOVIETS FAVORED SIGNING CONVENTION AT FOREIGN MINISTER LEVEL

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PAGE 02 USUN N 00993 020114Z

IN GENEVA IN CONNECTION WITH NEXT ROUND OF US-SOVIET TALKS IN MAY, CONCLUDING THAT THIS WOULD REQUIRE U.S. DECISION TO SIGN BY MID-APRIL.

2. LEONARD SAID POSSIBLE MEANS OF RESOLVING LEGAL PROBLEMS IMPEDING U.S. SIGNATURE WERE UNDER ACTIVE CONSIDERATION IN WASHINGTON, AND EXPRESSED HOPE

THAT SITUATION WOULD CLEAR UP IN NEAR FUTURE. HE UNDERTOOK TO REPORT TIMERVAEV'S CONCERN TO WASHINGTON AND SEEK FURTHER WORD OF PROSPECTS FOR EARLY ACTION.

3. COMMENT: SECRETARIAT IS STILL HOLDING UP FURTHER ACTION ON ENMOD CONVENTION (AT OUR REQUEST) ON "TECHNICAL" GROUNDS. HOWEVER, PRESSURES TO PROCEED WITHOUT US ARE LIKELY TO MOUNT, PARTICULARLY IF WE CANNOT GIVE SECRETARIAT ANY REASSURANCE THAT U.S. LEGAL PROBLEMS WILL NOT DRAG ON INDEFINITELY.

4. USUN WILL, OF COURSE, LEAVE TO DEPARTMENT DECISION ON WHETHER SIGNING SHOULD TAKE PLACE IN GENEVA OR NEW YORK, ASSUMING ARRANGEMENTS CAN BE MADE TO PERMIT SIGNING IN MAY. WE DO NOT BELIEVE HOLDING CEREMONY IN GENEVA WOULD POSE ANY INSUPERABLE PROBLEMS, BUT IT WOULD REQUIRE CAREFUL THOUGHT AND PLANNING. AS REPORTED REFTEL, WALDHEIM HAS INDICATED PERSONAL INTEREST IN PRESIDING OVER OPENING CEREMONY, SINCE ENMOD CONVENTION IS FIRST DISARMAMENT AGREEMENT OF WHICH SYG IS DEPOSITARY. LIKE THE SOVIETS, HE HOPES FOR SUBSTANTIAL AND HIGH-LEVEL ATTENDANCE. THUS, IF WE DECIDE TO ARRANGE FOR SIGNING AT UN HEADQUARTERS IN GENEVA, IT WOULD BE IMPORTANT TO WORK CLOSELY WITH WALDHEIM TO ENSURE POSSIBILITY OF HIS PRESENCE. AT THE SAME TIME, IT WOULD BE IMPORTANT TO AVOID GIVING IMPRESSION THAT ENMOD SIGNING IS SIMPLY A CASUAL PROPAGANDA SIDESHOW IN SHADOW OF BILATERAL TALKS. ENMOD CONVENTION IS NO LONGER A US-SOVIET ACCORD, BUT UNGA-APPROVED -- AFTER LIMITED OFFICIAL USE

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PAGE 03 USUN N 00993 020114Z

MUCH CONTROVERSY-- MULTILATERAL CONVENTION. ANY APPEARANCE THAT THE SIGNING AND WALDHEIM'S PRESENCE WERE BEING EITHER IMPROPERLY EXPLOITED OR SLIGHTED COULD BE WIDELY RESENTED. THESE POTENTIAL PROBLEMS ARE NOT INSUPERABLE, BUT THEY UNDERLINE THE NEED FOR A QUICK DECISION AND CAREFUL PLANNING IF A GENEVA SIGNING IS DESIRED. END COMMENT.

5. ACTION REQUESTED. WE WOULD APPRECIATE ANY INFORMATION DEPARTMENT CAN PROVIDE ON STATUS OF ENMOD LEGAL PROBLEMS AND PROSPECTS FOR EARLY SIGNING. AS TIMERVAEV IS RETURNING TO MOSCOW, DEPARTMENT MAY ALSO WANT TO RELAY WORD THROUGH EMBASSY MOSCOW.
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